

ESTTA Tracking number: **ESTTA579182**

Filing date: **12/29/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213545
Party	Defendant Anarchy Beverage company
Correspondence Address	MICHAEL MELORO MICHAEL MELORO 92 CEDARWOOD DR WILKES BARRE, PA 18702-7305 UNITED STATES michael.meloro@anarchybeveragecompany.c
Submission	Other Motions/Papers
Filer's Name	LUKE BREAN
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Signature	/LB/
Date	12/29/2013
Attachments	MOTIONTOACCEPTLATEFILING-REVOLUTION.pdf(81692 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Application No.: 85878075

Mark: EVOLUTION (and design)

Application Date: March 16, 2013

Evolution Fresh, Inc.

Opposer,

Opposition No. 91213545

v.

Anarchy Beverage Company,

Applicant.

MOTION TO ACCEPT LATE FILING

Comes the Anarchy Beverage Company, by counsel, Luke Brean, and moves the Board to accept the late filing of the Anarchy Beverage Company's Answer to Opposer's Notice of Opposition.

As grounds for its motion, the counsel submits that the Notice of Opposition was filed on November 18, 2013, with a response due on December 28, 2013.

The undersigned was out of the office and out of state from December 18 through the 27th to attend to a 90 year old grandfather in the intensive care unit. The due date simply escaped counsel's notice due to the circumstances.

The late filing was not done for purposes of delay, and there is no prejudice to the Opposer as the Answer was filed within one day of its due date.

For these reasons, the Anarchy Beverage Company respectfully requests that the Court accept the late filing of the Anarchy Beverage Company's Answer in this matter.

Dated: December 29, 2013

Respectfully submitted,

Attorney for Anarchy Beverage Company

/LB/

Luke Brean

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing MOTION TO ACCEPT LATE FILING was served by First Class Mail to the address below on this 29th day of December 2013.

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